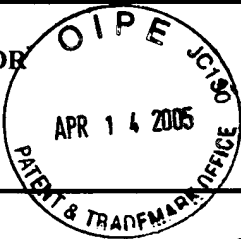


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TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT (Under 37 CFR 1.97(b) or 1.97(c))					Docket No. POL01.04DIV	
In Re Application Of: Heller et al						
Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.	
10/770,430	02/03/2004	David R. Dunn	32047	3616		
Title: FAILSAFE ACTUATOR						



Address to:
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

37 CFR 1.97(b)

1. ☐ The Information Disclosure Statement submitted herewith is being filed within three months of the filing of a national application other than a continued prosecution application under 37 CFR 1.53(d); within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; before the mailing of a first Office Action on the merits, or before the mailing of a first Office Action after the filing of a request for continued examination under 37 CFR 1.114.

37 CFR 1.97(c)

2. ☒ The Information Disclosure Statement submitted herewith is being filed after the period specified in 37 CFR 1.97(b), provided that the Information Disclosure Statement is filed before the mailing date of a Final Action under 37 CFR 1.113, a Notice of Allowance under 37 CFR 1.311, or an Action that otherwise closes prosecution in the application, and is accompanied by one of:

☒ the statement specified in 37 CFR 1.97(e);

OR

☐ the fee set forth in 37 CFR 1.17(p).

TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT
(Under 37 CFR 1.97(b) or 1.97(c))

Docket No.
POL01.04DIV

In Re Application: **Heller et al**

Application No. 10/770,430	Filing Date 02/03/2004	Examiner David R. Dunn	Customer No. 32047	Group Art Unit 3616	Confirmation No.
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Title:
FAILSAFE ACTUATOR

Payment of Fee

(Only complete if Applicant elects to pay the fee set forth in 37 CFR 1.17(p))

- ☐ A check in the amount of _____ is attached.
- ☒ The Director is hereby authorized to charge and credit Deposit Account No. **50-2121** as described below.
- ☐ Charge the amount of _____
- ☐ Credit any overpayment.
- ☒ Charge any additional fee required.
- ☐ Payment by credit card. Form PTO-2038 is attached.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

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April 12, 2005

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Jennifer L. Hobbs

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Dated: **April 12, 2005**

Signature
Donald J. Perreault
Attorney for Applicant
Reg. No. 40,126
Grossman, Tucker, Perreault & Pflieger, PLLC
55 South Commercial Street
Manchester, NH 03101

CC:

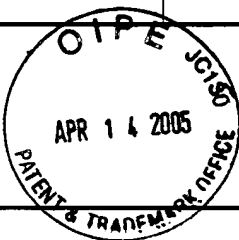
**STATEMENT UNDER 37 CFR 1.97(e) ACCOMPANYING
INFORMATION DISCLOSURE STATEMENT**

Docket No.
POL01.04DIV

In Re Application Of: **Heller et al**

Application No. 10/770,430	Filing Date 02/03/2004	Examiner David R. Dunn	Customer No. 32047	Group Art Unit 3616	Confirmation No.
--------------------------------------	----------------------------------	----------------------------------	------------------------------	-------------------------------	------------------

Invention:
FAILSAFE ACTUATOR



COMMISSIONER FOR PATENTS:

This is a statement under the provisions of 37 CFR 1.97(e) in the above-identified application.

Check applicable statement herebelow:

Statement Under 37 CFR 1.97(e)(1)

- ☒ Each item of information contained in the accompanying Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the Information Disclosure Statement.

Statement Under 37 CFR 1.97(e)(2)

- ☐ No item of information contained in the accompanying Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned person, after making reasonable inquiry, no item of information contained in the accompanying Information Disclosure Statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of the Information Disclosure Statement.

Signature

Donald J. Perreault
Attorney for Applicant
Reg. No. 40,126
Grossman, Tucker, Perreault & Pfleger, PLLC
55 South Commercial Street
Manchester, NH 03101

Dated: **April 12, 2005**

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April 12, 2005

(Date)

Signature of Person Mailing Correspondence

Jennifer L. Hobbs

Typed or Printed Name of Person Mailing Correspondence

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INFORMATION DISCLOSURE CITATION <i>(Use several sheets if necessary)</i>				Docket Number (Optional) POL01.04DIV		Application Number 10/770,430	
				Applicant(s) Heller et al			
				Filing Date 02/03/2004		Group Art Unit 3616	
U.S. PATENT DOCUMENTS							
*EXAMINER INITIAL	REF	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE

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 APR 14 2005
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U.S. PATENT APPLICATION PUBLICATIONS							
*EXAMINER INITIAL	REF	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE

FOREIGN PATENT DOCUMENTS								
	REF	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	Translation	
							YES	NO

OTHER DOCUMENTS			<i>(Including Author, Title, Date, Pertinent Pages, Etc.)</i>
		International Preliminary Examination Report from International Appln. No. PCT/US02/23179 mailed January 28, 2005	

EXAMINER	DATE CONSIDERED
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EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP Section 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.